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DIA*

MEMORANDUM FOR: Director of Central Intelligence

VIA: Deputy Director of Central Intelligence
Deputy Director for Administration

FROM: James H. McDonald
Director of Logistics

SUBJECT: Proposed DIA/CIA Collocation

REFERENCES: (a) - Memo dtd 17 Nov 78 to A-DDA fm C/RECD/OL,
same subject

(b) Memo dtd 20 Nov 78 to DDA fm C/RECD/OL,
same subject

(c) MFR dtd 21 Nov 78 fm DCI, subject:
Conversation with Representative
Joseph Fisher and Deputy Secretary
of Defense Charles Duncan at Breakfast,
21 Nov 78

1. Reference (c) contained three taskings on the subject project, specifically:

a. Prepare a plan of action to get the necessary environmental and planning commission clearances.

b. Prepare an approach to Congress based on the use of military construction funding.

c. Refine, with the assistance of the Pentagon, the figures indicating the number of DIA personnel to be located at Langley and determine their current place of residence.

Task a will be discussed in some detail in this paper and its attachments. Responsibility for Task b has been assumed by OLC at their request and a separate response is being prepared. Task c has also been deferred since DIA, when

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initially approached on 27 November, had received no internal directive to support our request. Subsequent to your 27 November meeting with the Secretary of Defense, DIA advised on 29 November that the requisite internal directive had been received. Our understanding, based on information received from DIA, is that the data sought in Task c is currently being prepared by DIA and will be transmitted directly to you through DoD channels circa 4 December 1978.

2. In response to Task a and to carry the Reference (b) discussion further, we will be dealing principally with the National Capital Planning Commission (NCPC) and the Environmental Protection Agency (EPA) for the necessary clearances. Upon receipt of Reference (c), discussions with senior representatives of NCPC and EPA were initiated by this Office and the following guidance was offered:

a. NCPC advised that NCPC coordinated communication with federal, state, and local government entities (identified as Referral Groups in Attachment 1) would be required to inform this group of our intent to modify our Master Plan, construct a specific building complex, and to solicit comments as a necessary step to implement the proposed actions. Following the phased preparation of the Master Plan and building design drawings, NCPC would submit them for referral to specific governmental entities for review and comment and then conduct NCPC hearings open to the public for NCPC approval of these proposed projects.

b. EPA advised that the preparation of an environmental assessment, and most likely, an environmental impact statement will be required, with the sponsoring agency acting as the clearinghouse for informing public and governmental entities of its draft environmental impact statement, conducting public meetings to solicit comments and information, preparation of a final environmental impact statement, and referral for final public review. EPA, as a regional Federal reviewing entity, would also review final environmental impact statements of each action for approval.

3. As regards the NCPC clearances, we have initiated the first step required in OMB Circular A-95 by seeking "early consultations" with NCPC. Our interface or action plan (see Attachment 1 for NCPC clearance cycle) with NCPC can be phased as follows:

Phase I - Master Plan Approval Process

Officially notify NCPC of our intention to modify the existing preliminary Master Plan. Such notification will lead to the scheduling and conducting of a series of informative "early consultations" between Agency representatives and the entities listed in Attachment 1 with NCPC acting as the coordinator. Civic organizations could also be expected to participate in these early consultations. Based upon the data received at this series of consultations, incorporate the data and complete the revised Master Plan, submit the Master Plan to NCPC for transmittal to referral groups for comment, and submit the Master Plan to NCPC for NCPC hearings and approval. Note: The Environmental Assessment or Environmental Impact Statement (EIS) is an integral part of the Master Plan process and will therefore be prepared simultaneously. An environmental assessment or a draft and final environmental impact statement must be submitted to NCPC at the various submission and development stages of the Master Plan. See paragraph 4 below.

Phase II - Preliminary Building Design Approval Process

Submission to NCPC of preliminary site and building plans which will undergo a referral cycle limited to specific local planning entities constitutes this phase. As a minimum, the precise location of the building must be identified and at least the footprint, gross size, and preferably an artist's rendering of the proposed building should be included. A draft EIS, if necessary, should accompany this submission to NCPC and NCPC will also conduct a preliminary design review for approval.

* Phase III - Final Building Design Approval Process

Submission to NCPC of the final site and building plans which will undergo a referral cycle limited to specific local planning entities constitutes this phase. At this stage, while the final design drawings may not be complete, the full range of details to include landscaping, utilities, sewage, parking, and a mock-up of the building containing work stations, special purpose areas, and details of the interior decor are required. The final EIS, if necessary, should accompany this submission to NCPC and NCPC will also conduct a final design review for approval.

4. With regard to EPA clearances, the first steps are to determine whether the proposed revised Master Plan and the specific preliminary and final building designs require the preparation of environmental impact statements. In view of the specialized nature of environmental assessment and EIS preparation, both EPA and NCPC advised the hiring of a qualified consultant at the very outset. This consultant would participate in all NCPC Phase 1, 2, and 3 meetings to gather data with which to prepare environmental assessments and statements (see Attachment 2 for the EPA clearance cycle) as follows:

a. Environmental Assessment

It is the Agency's responsibility to follow its published National Environmental Policy Act (NEPA) Implementing Procedures (published in the Federal Register on 22 January 1974) and to determine if the proposed projects (revision to the Master Plan and the building preliminary and final designs) meet the NEPA tests of a "major" action having "significant" effect upon the environment. If a "significant impact" upon the environment is determined not to exist, a "negative determination" can be made by the Agency and, unless a court challenge ensues, the matter is closed and the preparation of an environmental impact statement and the ensuing process is not necessary. However, copies of the environmental assessment must be submitted to EPA and made available to anyone upon request. In this regard, it should be noted that in the five years after the passage of NEPA (1970-1975), 654 court actions were brought and, of these, 363 were brought by groups who felt that an impact statement should have been prepared. Other court actions were based upon the fact that published agency procedures were not followed. We stress that this assessment stage runs concurrently with the NCPC actions; requires the services of a qualified consultant; will involve a complete exchange of information with the entire panoply of groups, both civic and governmental, involved; and may, once the data is collected and analyzed, lead to the preparation of an EIS.

b. Environmental Impact Statement

If significant impact upon environmental quality is determined by the Agency as a result of actions involved in the Master Plan or the building design plans, then the EIS must be prepared and a review process conducted. The preparation of an EIS by a consultant can be viewed as an expanded assessment and includes a more detailed study of the broad scope of all environmental factors ranging from the socio-economic to air pollution. Accordingly, the Agency would then be required to notify EPA and affected or interested local, state, federal, and public entities as to its intent to file a draft environmental impact statement. Copies of the draft are also to be made available to EPA and the above entities for review and comment. Within a scheduled time period established by EPA, the Agency is required to advertise, schedule, and conduct direct public meetings with whoever responds to the notifications to address the impact of the proposed actions, solicit comments and input, and to review and utilize such input in further development of the final version of the EIS. The Agency is then required to resubmit the final EIS to all interested parties for final review and to EPA for approval. The final EIS submission is to include a copy of all review comments and specifically indicate how such issues were addressed and resolved in arriving at the final EIS determination. The minimum time to accomplish the EIS process from the date of filing the draft EIS to approval of the final EIS is 90 days if no extraordinary issues occur. EPA advises that the above EIS process averages approximately five and one-half months in most cases.

5. EPA advises that, in all likelihood, the EIS could be "scoped" to cover both the Master Plan and the proposed building design if sufficient information is available at the same time for the address of both actions. Since DoD would be funding the project to house defense personnel, and they are totally knowledgeable of all aspects of their requirements, DoD could be designated as the "lead" agency under the terms of NEPA (with direct continuing support, assistance, and coordination with the Agency) and undertake the major share of the above required efforts in the most expedient time frame. EPA also informed that the Army Corps of Engineers has an excellent in-house capability and a great deal of experience in preparing EIS statements, thus utilization of DoD resources could prove the most expedient solution to the problem.

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STAT 6. It should also be noted that, in response to our query, NCPC advised the Agency to include the [] tract and the [] tract in our proposed revised Master Plan if the Agency desired to utilize this property for further building programs in the future. It would appear that the construction of the DIA facility could only be located on land assigned to the Agency at the present time and so indicated on a revised Master Plan for approval. It would also appear necessary at this time to determine how the Agency would propose to utilize the above unassigned tracts in the future in order to prepare a complete Master Plan at this time. Such future considerations could have significant implications upon the general acceptance of our immediate DIA needs at this time, NCPC approvals within their planning criteria for this area, and additional environmental implications beyond those which may be related to our immediate intentions.

7. Our discussions at NCPC and EPA elicited some potential problems which deserve mention. In addition to gaining the support of our neighbors at Langley, we should also be prepared for resistance from the D.C. Government which finally abandoned its fight to acquire the Bolling tract for the construction of low-cost housing when it was implied, if not guaranteed, that future DoD construction projects would result in an increase in permanent employment opportunities for District residents. The second major hurdle will be air pollution. NCPC advised that the EIS for the new Government Printing Office limited parking to 900 spaces for the 6,800 employees. Of course, GPO would be on the Metro line and has more public transportation available. However, air pollution, in conjunction with the (probable) increase in traffic density, will be a major concern of the referral group outlined in Attachment 1.

Signed: James H. McDonald

James H. McDonald

Atts

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